

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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USVALDO CONTRERA, FRANCISCO LOPEZ,
PEDRO BATISTA, FABIAN HERRERA and
ANTONIO REYES, individually and on behalf
of all others similarly situated,

Plaintiffs,

Case No. 16-CV-03851
(LTS) (GWG)

- against -

IRVING LANGER, E&M BRONX ASSOCIATES LLC,
E&M ASSOCIATES, and GALIL MANAGEMENT, et al.

Defendants.

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**NOTICE OF MOTION FOR FINAL CERTIFICATION OF THE CLASS,
FINAL APPROVAL OF CLASS AND COLLECTIVE ACTION SETTLEMENT,
SERVICE AWARDS, AN AWARD OF ATTORNEYS' FEES AND EXPENSES,
AND THE ENTRY OF FINAL JUDGMENT**

PLEASE TAKE NOTICE that upon the annexed Declaration of Meredith R. Miller, Esq., sworn to on July 8, 2021 ("Miller Declaration"); Declaration of Marc A. Rapaport, Esq., sworn to on July 7, 2021; Declaration of Peter Winebrake, sworn to on July 7, 2021; Declaration of Victoria Urdaneta, sworn to on July 7, 2021, and all exhibits annexed thereto, and the Memorandum of Law submitted herewith, and upon all prior pleadings and proceeds heretofore had herein, Plaintiffs, on consent of all Parties, move this Court for an Order:

- 1) Certifying the Class for settlement purposes as defined by the Parties' Settlement Agreement and Release, as amended on June 9, 2021 (the "Settlement Agreement"), which is annexed as Exhibit A to the Miller Declaration;
- 2) Granting final approval of the Settlement Agreement;
- 3) Authorizing the distribution of settlement checks to all Participating Claimants representing their share of the Net Settlement Fund;
- 4) Awarding Service Awards, totaling \$50,000.00, to the Named Plaintiffs, Usvaldo Contrera, Francisco Lopez, Pedro Batista, Fabian Herrera and Antonio Reyes, in the amount of \$10,000.00 each;

- 5) Awarding attorneys' fees in the amount of \$2,298,820.10, for legal services performed in prosecuting and settling the claims in this action, to Class Counsel;
- 6) Awarding \$44,179.90 for costs and out-of-pocket expenses to Class Counsel;
- 7) Awarding \$65,000.00 for Claims Administration fees and costs to Settlement Services, Inc.;
- 8) Granting final certification of the following Settlement Class: all individuals listed in Exhibits B, C and C-1 to the Settlement Agreement;
- 9) Providing for the release of all claims as specified in the Settlement Agreement; and
- 10) Dismissing this action against Defendants with prejudice, but with the Court's continued jurisdiction over the construction, interpretation, implementation, and enforcement of the Parties' settlement and over the administration and distribution of the settlement fund.

Dated: New York, New York
July 8, 2021

Respectfully,

_____/s/_____
Meredith R. Miller
Miller Law., PLLC
167 Madison Avenue, Suite 503
New York, NY 10016
(347) 878-2587
meredith@millerlaw.nyc

_____/s/_____
Marc A. Rapaport
Rapaport Law Firm, PLLC
80 Eighth Avenue, Suite 206
New York, NY 10011
(212) 382-1600
mrpaport@rapaportlaw.com

_____/s/_____
Peter Winebrake
Winebrake & Santillo, LLC
715 Twining Road, Suite 211
Dresher, PA 19025
(215) 884-2491
pwinebrake@winebrakelaw.com

Plaintiffs' Counsel